

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1661 – HB 1688

February 12, 2014

**SUMMARY OF ORIGINAL BILL:** Prohibits as a defense to criminal obstruction of a highway or other passageway that a person or organization engages in mass picketing to further an objective in the context of a labor dispute. Creates a new Class C misdemeanor for intentionally, knowingly, or recklessly engaging in any form of mass picketing activity in the context of a strike, lockout, or other labor dispute. Such activity is not criminal if conducted at a governmental building or facility.

Defines mass picketing as: (1) the stationing of a person or vehicle representing an organization to apprise the public by signs or other means of the existence of a labor dispute, which prevents an individual from the reasonable ingress to and egress from an entrance or exit to a place of employment; (2) preventing the pursuit of any lawful work or employment by means of disturbance or nuisance; (3) constituting as civil rights intimidation; and (4) picketing a private residence that has the effect of interfering with the resident's right to quiet enjoyment.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (012464):** Deletes all language after the enacting clause and rewrites the bill. Only change from original proposed legislation is addition of a new Class B misdemeanor for picketing a private residence that has the effect of interfering with the resident's right to quiet enjoyment and a Class A misdemeanor where the picketing of the private residence has the effect of inciting violence or intimidation.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- According to the Administrative Office of the Courts, the District Attorneys General Conference, and the District Public Defenders Conference, the proposed legislation will not significantly impact their caseloads.
- The proposed legislation is not likely to create a significant number of new misdemeanor convictions. It is assumed that the impact to local governments will not be significant.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/trm